



Docket No.: PF220P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Wei, Ying-Fei

Application No.: 09/726,348

Group Art Unit: 1647

Filed: December 1, 2000

Examiner: Spector, L.

For: Transforming Growth Factor Alpha HIII

REPLY UNDER 37 C.F.R. § 1.111

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In response to the Office Action mailed June 25, 2003, Applicants hereby request that the following remarks be entered into the file of the above-identified application. Applicants submit herewith a Fee Transmittal Sheet.

REMARKS

Claims 26-79 are currently pending.

Provisional Claim Objections Under 37 C.F.R. § 1.75

The Examiner has indicated that "should claims 72-75 be found allowable, claims 76-79 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof." Paper No. 23, page 2, lines 16-21. Applicants respectfully disagree and traverse the objection.

37 C.F.R. § 1.75 (b) reads, "[m]ore than one claim may be presented provided they differ substantially from each other and are not unduly multiplied." The M.P.E.P. provides further guidance for making proper objections on the basis of duplicative claims:

Inasmuch as a patent is supposed to be limited to only one invention or, at most, several closely related indivisible inventions, limiting an application to a single claim, or a single claim to each of the related inventions might appear to be logical as well as convenient. However, court decisions have confirmed

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